

#9/168032
2/9/02
Attorney Docket No.: CBA-003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Finkelstein, et al.

Serial No.: 09/642,277

Filing Date: August 18, 2000

For: *Methods Compositions and Kits for
Promoting Recovery From Damage to the
Central Nervous System*

Customer Number: 25181


Art Unit: 1632

Examiner: S. Pappu

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CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on December 5, 2001.


Terrill Williams

Commissioner for Patents
Washington, DC 20231
Box: Sequence Listing

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES

Applicants submit herewith a revised sequence listing which is fully compliant with the requirements of 37 CFR 1.821 through 1.825, in response to the Notice to Comply with Sequence Rules mailed November 5, 2001. We submit herewith a hard copy of the sequence listing, a computer readable form of the sequence listing (the diskette), a statement to support filing of the sequence listing and an amendment to direct entry of SEQ ID Nos. into the specification.


I further state that this submission, filed in accordance with 37 C.F.R. § 1.821(g), does not include new matter.

We believe that we have appropriately provided for fees due in connection with this submission, however, if there are any other fees due in connection with the filing of this Response, please charge the fees to our Deposit Account No. 06-1448.

If there are any questions after review of this paper, the Examiner can contact the undersigned as (617) 832-1272.

Respectfully submitted,
FOLEY, HOAG, & ELIOT

December 5, 2001



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UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/642,277 08/18/00 FINKLESTEIN S CBA003.01

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HM22/1105

Sequence Listing
DUE: 12.5.01
FINAL: 5.5.02

EXAMINER

PAPPL, S

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 11/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 09/642277 | 08/18/00 | Finklestein, S. | CBA-003.01 |

| EXAMINER | |
|---------------|--------------|
| Sita S. Pappu | |
| ART UNIT | PAPER NUMBER |
| 1632 | 8 |

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sita S. Pappu, whose telephone number is (703) 305-5039. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Karen Hauda whose telephone number is (703) 305-6608. The fax number for the organization where this application or proceeding is assigned is (703) 308-8724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Patent Analyst whose telephone number is (703) 305-2758.

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Anne-Marie Baker

ANNE-MARIE BAKER
PATENT EXAMINER

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:**TECH CENTER 1600/2900**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

Patent Software Program Support

Technical Assistance.....703-287-0200

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